

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No.	<b>CV 17-3250 FMO (SKx)</b>	Date	<b>August 4, 2017</b>
Title	<b>Arthur Kaye IRA FCC as Custodian DTD 6-8-00, <u>et al.</u> v. ImmunoCellular Therapeutics, Ltd., <u>et al.</u></b>		

Present: The Honorable		Fernando M. Olguin, United States District Judge	
Vanessa Figueroa	None		None
Deputy Clerk	Court Reporter / Recorder		Tape No.
Attorney Present for Plaintiff(s):		Attorney Present for Defendant(s):	
None Present		None Present	

**Proceedings: (In Chambers) Order Re: Briefing Schedule**

Having reviewed and considered the joint Stipulation Extending Time to File Consolidated First Amended Complaint and Briefing on Motion to Dismiss (**Document No. 41**), IT IS ORDERED THAT:

1. Co-lead plaintiffs shall file a consolidated first amended complaint no later than **August 24, 2017**. The consolidated amended complaint must be labeled "Consolidated First Amended Complaint," filed in compliance with Local Rule 3-2 and contain the case number assigned to the case, i.e., Case No. CV 17-3250 FMO (SKx). Co-lead plaintiffs are cautioned that failure to timely file a Consolidated First Amended Complaint may result in this action being dismissed without prejudice for failure to prosecute and/or failure to comply with a court order. See Fed. R. Civ. P. 41(b); Link v. Wabash R.R. Co., 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962).

2. Defendants shall file their Answer to the Consolidated First Amended Complaint or a motion pursuant to Rule 12 of the Federal Rules of Civil Procedure no later than **September 28, 2017**. If a Rule 12 motion is filed, co-defense counsel must cooperate and jointly file a **single** Rule 12 Motion, not to exceed **forty-five (45) pages**. Any attempt to file multiple Rule 12 motions or otherwise exceed the 45-page limit will result in the motions being stricken and may result in the imposition of sanctions.

3. Co-lead plaintiffs shall file their opposition, not to exceed forty-five (45) pages, no later than **October 19, 2017**.

4. Defendants shall file their **single** reply, not to exceed twenty-five (25) pages, no later than **November 2, 2017**.

5. In the event defendants wish to file a motion to dismiss, then counsel for the parties

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shall, on **September 21, 2017, at 10:00 a.m.**<sup>1</sup> meet and confer in person at an agreed upon location within the Central District of California to discuss defendants' motion to dismiss. Defendants' motion must include copies of all meet and confer letters as well as a declaration that sets forth, in detail, the entire meet and confer process (i.e., when and where it took place, how long it lasted and the position of each attorney with respect to each disputed issue that will be the subject of the motion). Failure to include such a declaration will result in the motion being denied.

6. The hearing on the motion to dismiss is set to be heard on **November 16, 2017, at 10:00 a.m.**

Initials of Preparer

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 vdr

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<sup>1</sup> Counsel may agree to meet and confer at another time and place without seeking court approval for such an agreement.